

1 Guy Ruttenberg, Bar No. 207937
2 guy@ruttenbergiplaw.com
3 Dennis Ma, Bar No. 284761
4 dennis@ruttenbergiplaw.com
5 RUTTENBERG IP LAW,
6 A PROFESSIONAL CORPORATION
7 1801 Century Park East, Suite 1920
8 Los Angeles, CA 90067
9 Telephone: (310) 627-2270
10 Facsimile: (310) 627-2260

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

LEDSON, a Polish Company, and
LUMINII CORP., an Illinois
corporation,

Plaintiffs,

v.

VISION LIGHT WORX, INC., a
California corporation, d/b/a Optic
Arts,

Defendant.

Case No. 2:16-cv-1997

**COMPLAINT FOR DESIGN PATENT
INFRINGEMENT**

JURY TRIAL DEMANDED

1 Plaintiffs LEDSON and Luminii Corp. ("Plaintiffs") complain and allege as
2 follows against Defendant Vision Light Worx, Inc. d/b/a Optic Arts ("Defendant").

3 **THE PARTIES**

4 1. LEDSON is a family business established in 2005 in Warsaw, Poland
5 and has become a leading manufacturer of aluminum profiles for Light Emitting
6 Diode (LED) fixtures. LEDSON has created numerous designs for extrusions for
7 LED-based lighting devices.

8 2. LEDSON has a place of business at ul. Obroncow Tobruku 31/140, 01-
9 494 Warsaw, Poland.

10 3. Luminii is a manufacturer of specification grade architectural LED
11 lighting products, organized under the laws of the State of Illinois, and has a place of
12 business at 7777 Merrimac Ave, Niles, IL 60714.

13 4. Upon information and belief, Vision Light Worx, Inc. is corporation
14 organized under the laws of the State of California, has a place of business at 1130
15 Monterey Pass Rd., Monterey Park, CA, 91754, and conducts business under the
16 name Optic Arts.

17 **JURISDICTION AND VENUE**

18 5. This is an action for patent infringement arising under the patent laws of
19 the United States, 35 U.S.C. § 271 et seq.

20 6. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331
21 and 1338.

22 7. This Court has personal jurisdiction over Defendant because it has
23 committed and continues to commit acts of infringement in violation of 35 U.S.C. §
24 271, and places infringing products into the stream of commerce, with the knowledge
25 or understanding that such products are sold in the State of California, including in
26 this District. The acts by Defendant cause injury to Plaintiffs within this District.
27 Upon information and belief, Defendant derives substantial revenue from the sale of
28

1 infringing products within this District, expects its actions to have consequences
2 within this District, and derives substantial revenue from interstate commerce.

3 8. Venue is proper within this District under 28 U.S.C. §§ 1391(b) and (c)
4 and 1400(b).

5 **BACKGROUND FACTS**

6 9. Slawomir Trzesniowski is the managing director and owner of
7 LEDsON.

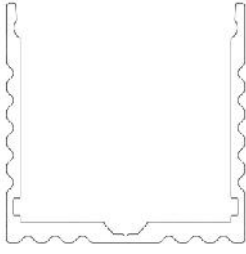
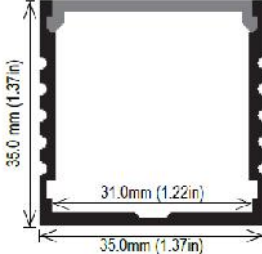

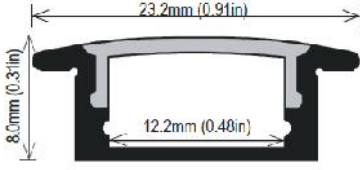
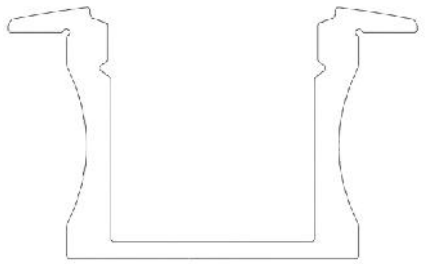
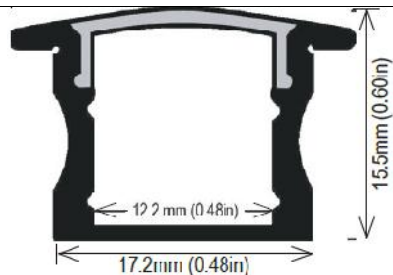
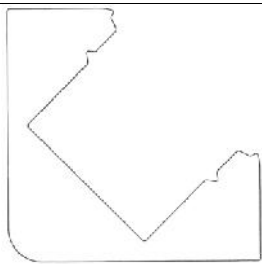
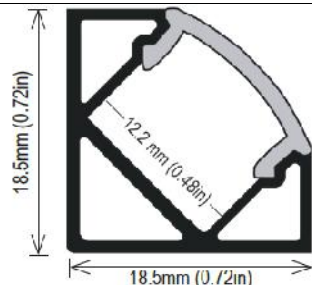

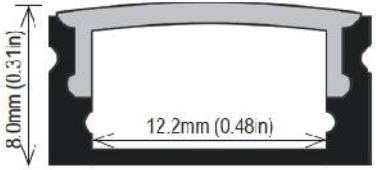
8 10. Mr. Trzesniowski has protected his innovative designs through design
9 patents issued by the United States Patent and Trademark Office. The asserted
10 design patents cover many ornamental features of Plaintiffs' products.

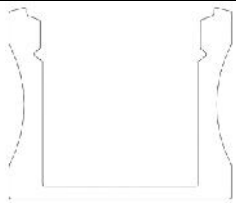
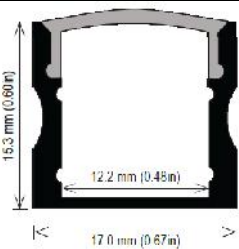
11 Patent Number	Title
12 D651,739	Extrusion for LED-Based Lighting Apparatus
13 D649,683	Extrusion for LED-Based Lighting Apparatus
14 D649,684	Extrusion for LED-Based Lighting Apparatus
15 D649,680	Extrusion for Light Emitting Diode Based 16 Lighting Apparatus
17 D649,681	Extrusion for LED-Based Lighting Apparatus
18 D649,682	Extrusion for LED-Based Lighting Apparatus

19
20
21
22 11. LEDsON owns, by way of assignment, each of the asserted design
23 patents listed above, copies of which are attached as Exhibits 1-6.

24 12. Luminii is the exclusive licensee in the United States of the asserted
25 LEDsON design patents.

26 13. As the side-by-side comparisons shown below reveal, Defendant has
27 misappropriated Plaintiffs' patented LED-based lighting apparatus designs in the
28 accused products.

U.S. Design Patent Side Elevation View	Accused Product
 D651,739	 CHW-S-3535
 D649,681	 CHS-R-1208
 D649,683	 CHS-R-1715
 D649,684	 CHS-C-1919
 D649,680	 CHS-S-1208

U.S. Design Patent Side Elevation View	Accused Product
 D649,682	 CHS-S-1715

14. Plaintiff, Luminii, notified Defendant of the asserted design patents by way of a letter addressed to Mr. Jason Mullen, Optic Arts, 1118 Chestnut Street, Suite 105, Burbank, California 91506, which was mailed on December 21, 2015.

15. Since receipt of the aforementioned letter, Defendant has continued to manufacture, import, sell and/or offer for sale one or more of the accused products.

16. Since receipt of the aforementioned letter, Defendant has refused to change its products in response to Plaintiffs' objections, and has refused to discontinue its sales of the accused products.

17. On information and belief, Defendant, with full knowledge of the asserted design patents and the accused products, has acted with reckless disregard for the asserted design patents.

FIRST CLAIM FOR RELIEF
(Infringement of D651,739)

18. Plaintiffs incorporate and reallege paragraphs 1 through 17 of this Complaint.

19. Defendant has infringed and continues to infringe U.S. Design Patent D651,739 by using, selling and/or offering to sell in the United States, and/or importing into the United States a LED-based lighting apparatus with product number CHW-S-3535, which embodies the design covered by U.S. Design Patent D651,739.

SECOND CLAIM FOR RELIEF
(Infringement of D649,681)

20. Plaintiffs incorporate and reallege paragraphs 1 through 19 of this Complaint.

21. Defendant has infringed and continues to infringe U.S. Design Patent D649,681 by using, selling and/or offering to sell in the United States, and/or importing into the United States a LED-based lighting apparatus with product number CHS-R-1208, which embodies the design covered by U.S. Design Patent D649,681.

THIRD CLAIM FOR RELIEF
(Infringement of D649,683)

22. Plaintiffs incorporate and reallege paragraphs 1 through 21 of this Complaint.

23. Defendant has infringed and continues to infringe U.S. Design Patent D649,683 by using, selling and/or offering to sell in the United States, and/or importing into the United States a LED-based lighting apparatus with product number CHS-R-1715, which embodies the design covered by U.S. Design Patent D649,683.

FOURTH CLAIM FOR RELIEF
(Infringement of D649,684)

24. Plaintiffs incorporate and reallege paragraphs 1 through 23 of this Complaint.

25. Defendant has infringed and continues to infringe U.S. Design Patent D649,684 by using, selling and/or offering to sell in the United States, and/or importing into the United States a LED-based lighting apparatus with product number CHS-C-1919, which embodies the design covered by U.S. Design Patent D649,684.

FIFTH CLAIM FOR RELIEF
(Infringement of D649,680)

26. Plaintiffs incorporate and reallege paragraphs 1 through 25 of this Complaint.

27. Defendant has infringed and continues to infringe U.S. Design Patent D649,680 by using, selling and/or offering to sell in the United States, and/or importing into the United States a LED-based lighting apparatus with product number CHS-S-1208, which embodies the design covered by U.S. Design Patent D649,680.

SIXTH CLAIM FOR RELIEF
(Infringement of D649,682)

28. Plaintiffs incorporate and reallege paragraphs 1 through 27 of this Complaint.

29. Defendant has infringed and continues to infringe U.S. Design Patent D649,682 by using, selling and/or offering to sell in the United States, and/or importing into the United States a LED-based lighting apparatus with product number CHS-S-1715, which embodies the design covered by U.S. Design Patent D649,682.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for relief as follows:

1. A judgment that Defendant has infringed each of the asserted design patents;

2. An order and judgment permanently enjoining Defendant and its officers, directors, agents, servants, employees, affiliates, attorneys, and all others acting in privity or in concert with them, and their parents, subsidiaries, divisions, successors and assigns, from further acts of infringement of the asserted design patents.

1 3. A judgment awarding Plaintiffs all damages adequate to compensate for
2 Defendant's infringement of the asserted patents, and particularly Defendant's total
3 profits pursuant to 35 U.S.C. § 289.

4 4. A judgment awarding Plaintiffs all damages, costs, and interest,
5 including treble damages, based on any infringement found to be willful, pursuant to
6 35 U.S.C. § 284, together with prejudgment interest.

7 5. An accounting of Defendant's profits.

8 6. A judgment declaring this case to be exceptional and awarding Plaintiffs
9 their reasonable attorneys fees pursuant to 35 U.S.C. § 285; and

10 Awarding Plaintiffs such other and further relief as this Court deems just and
11 proper.

12
13 DATED: March 23, 2016

By: /s/ Dennis H. Ma

Guy Ruttenberg
Dennis H. Ma
RUTTENBERG IP LAW, A
PROFESSIONAL CORPORATION
1801 Century Park East, Suite 1920
Los Angeles, CA 90067
Telephone: (310) 627-2270
Facsimile: (310) 627-2260
guy@ruttenbergiplaw.com
dennis@ruttenbergiplaw.com

Joseph M. Kuo (*pro hac vice* to be filed)
William T. Eveland (*pro hac vice* to be
filed)

ARNSTEIN & LEHR LLP
120 South Riverside Plaza
Suite 1200
Chicago, IL 60606
Telephone: (312) 876-7100
Facsimile: (312) 876-0288
jmkuo@arnstein.com
wteveland@arnstein.com

Attorney for Plaintiffs